REMARKS

By this Amendment, Applicants amend claims 1, 7, 9, 11, 13, 14, 16, 21-24, 26, and 40, and add new claim 54, and hence claims 1-54 are all the claims pending in the application.

Applicants thank the Examiner for the courtesy of the telephonic interview granted on April 30, 2008. Applicants' Statement of Substance of the Interview is attached herewith.

Objection to the Drawings

The drawings are objected to because the Examiner asserts that FIG. 12 is the same as FIG. 11. Applicants submit Replacement FIG. 12 and respectfully request the Examiner to withdraw the objection.

Claim Rejections - 35 U.S.C. § 101

Claims 1-25 are rejected under 35 U.S.C. § 101 because the claimed inventions are allegedly directed to non-statutory subject matter.

Claims 1-12

Applicants respectfully submit that the embodiments recited in claims 1-12 are directed to hardware embodiments, as at least illustrated in Applicants' specification in FIG. 6 and as at least described at the accompanying discussion from paragraphs 48 to 56 of Applicants' disclosure. Accordingly, Applicants respectfully submit claims 1-12 satisfy 35 U.S.C. § 101.

Claims 13-25

Applicants amend claim to recite, *inter alia*, "wherein the control point comprises a cache which stores information regarding devices on the network." Applicants respectfully submit a person having ordinary skill in the art would understand that a "cache" would not be embodied

as software. Therefore, Applicants respectfully submit claims 13-25 also satisfy 35 U.S.C. § 101.

Claim Rejections - 35 U.S.C. § 103

Claims 1-11, 13-24, 26-29 and 40-43 are rejected under 35 U.S.C. § 103(a) as allegedly unpatentable over Danknick (US Patent 6,021,429) in view of Holloway et al. (US Patent 5,905,859, hereinafter "Holloway"). Applicants respectfully traverse the rejection.

Claims 1-11, 13-24, 26-29, and 40-43

Claim 1 recites:

> A network device, comprising:
>
> a message receiving module which receives notify messages transmitted from controlled devices connected in a network, wherein each of the notify messages includes an operational state of the transmitting controlled device;
>
> a device list management module which collects service information on the controlled devices connected in the network and which creates, stores and manages a list of the service information of all the controlled devices connected in the network, wherein the service information includes the operational state of each of the controlled devices; and
>
> a control module which searches for service information of a specific controlled device, which has been requested by a control point, in the device list management module and which transmits the searched information to the control point.

In the Office Action, the Examiner asserts that Danknick allegedly teaches the "message receiving module which receives notify messages," as recited claim 1. Specifically, the Examiner asserts that the "list manager" of Danknick, which receives "device addresses," allegedly teaches the claimed "message receiving module" and "notify messages." *See* Office Action, p. 4.

However, Danknick neither teaches nor suggests "wherein each of the notify messages contains an operational state of the transmitting controlled device." Rather, Danknick describes that the list manager receives device addresses and stores the device addresses in a list. *See* Danknick, col. 3, lines 20-25. Therefore, Danknick neither teaches nor suggests "a message receiving module which receives notify messages," since the list manager of Danknick does not disclose receiving messages having an operational state of the transmitting device. Indeed, the list manager of Danknick merely receives device addresses, with no teaching or suggestion of receiving an operational state of the transmitting device.

Further, the Examiner asserts that Danknick allegedly teaches the "a device list management module which collects service information," as recited in claim 1. Again, the Examiner asserts that the "list manager" of Danknick, which receives "devices addresses," allegedly teaches the claimed "device list management module" and collected "information." *See* Office Action, p. 4.

However, Danknick neither teaches nor suggests "a device list management module which collects service information on the controlled devices." Rather, Danknick describes that the list manager merely receives devices addresses from devices on a network. Danknick neither teaches nor suggests the "device list management module which collects service information on the controlled devices," since Danknick does not disclose collecting service information of any device.

Similarly, the Examiner asserts that the "list manager" and "list of device addresses" of Danknick allegedly teach the claimed feature of the "device list management module…which

creates, stores and manages a list of the service information of all the controlled devices connected in the network."

However, as discussed above, Danknick fails to teach the features of "wherein each of the notify messages contains an operational state of the transmitting controlled device" and "a device list management module which collects service information of the controlled devices." Therefore, Danknick also fails to teach the feature of "wherein the service information comprises the operational state of each of the controlled devices."

Accordingly, Danknick fails to teach the claimed "message receiving module" and "device list management module." Holloway also fails to teach the features discussed above, and hence the combination of Danknick and Holloway would not have rendered claim 1, or any of the claims that depend on claim 1, unpatentable.

In addition, the Examiner concedes that Danknick fails to teach the claimed "control module which searches for service information," but the Examiner asserts that the managed hub at column 14, lines 11 to 35 of Holloway allegedly cures the deficient disclosure of Danknick. *See* Office Action, p. 4.

However, Holloway neither teaches nor suggests "a control module which searches for service information of a specific controlled device," as recited in claim 1. As discussed above, the service information comprises the operational state of each of the controlled devices. However, Holloway merely describes that in response to an initiated task, the managed hub compares an address of a frame with an address of a interconnected device in a device list to obtain a match. *See* Holloway, col. 14, lines 22-28. Holloway neither teaches nor suggests "a

control module which searches for service information of a specific controlled device," since Holloway does not disclose operational states of devices.

Moreover, the Examiner's rejection appears to depend on the assertion that the managed hub of Holloway teaches the claimed "network device" and "control module...which transmits the searched information to the control point." Holloway describes that the managed hub discovers interconnected devices in the network and maintains a list of the devices. *See* Holloway, Abstract. During the hub enable phase, the hub receives filter frames from the interconnected devices on the network and waits for responses from all of the interconnected devices in the network. *See* Holloway, col. 9, lines 6-11.

Therefore, a person having ordinary skill in the art would understand that the managed hub in Holloway is acting as a central control device. Accordingly, the managed hub of Holloway fails to teach "a network device, comprising: a control module...which transmits the searched information to the control point," since the Examiner may not cite the managed hub for teaching both the elements of the "network device" and the "control point," as recited in claim 1.

Accordingly, for at least the above reasons, Holloway also fails to cure the deficient disclosures of Danknick, and hence the combination of Danknick and Holloway would not have rendered claim 1, or any of the claims that depend on claim 1, unpatentable.

Claims 13, 26, and 40 recite features similar to those discussed above, and hence the combination of Danknick and Holloway would not have rendered claims 13, 26, and 40, or any of the claims that depend on claim 13, 26, and 40, unpatentable for at least analogous reasons.

Claim 14

Claim 14 depends on claim 13 and recites features similar to those discussed above regarding claim 1, and hence the combination of Danknick and Holloway would not have rendered claim 14 unpatentable for at least analogous reasons.

Claims 2 and 15

The Examiner asserts that the "receipt of a filter set frame" at column 14, lines 20 to 21 of Holloway allegedly teaches the claimed feature of "wherein the message receiving module receives a search message transmitted from the control point." *See* Office Action, p. 8. However, as discussed above, Holloway describes that the hub "receives the filter set frames from the interconnect devices in the campus network." *See* Holloway, col. 9, lines 6-9.

Accordingly, a person having ordinary skill in the art would clearly understand that the interconnect devices in the campus network of Holloway are not analogous to a control point. Accordingly, the combination of Danknick and Holloway would not have rendered claims 2 and 15 unpatentable for at least this additional reason.

Claims 11 and 24

The Examiner asserts that the network device determining whether the device address of the list manager is higher than its own address at column 11, lines 12 to 35 of Danknick allegedly teaches the claimed feature of "wherein the negotiation module controls the validity of each token by comparing the numbers of controlled devices in lists of controlled devices stored in respective controlled devices having the tokens." *See* Office Action, p. 10.

However, Danknick neither teaches nor suggests "the negotiation module controls the validity of each token by comparing the numbers of controlled devices in lists." Rather, Danknick describes that network device (NEB 2) compares the device address of the list

manager with its own address. *See* Danknick, col. 11, lines 15-17. Danknick neither teaches nor suggests "comparing the numbers of controlled devices in lists," since Danknick does not disclose the number of controlled devices in the list maintained by the list manager. Rather, Danknick describes a comparison of device addresses, with no teaching or suggestion of a comparison between numbers of controlled devices in respective lists.

Accordingly, the combination of Danknick and Holloway would not have rendered claims 11 and 24 unpatentable for at least this additional reason.

Claims 12 and 25 are rejected as allegedly unpatentable over Danknick and Holloway as applied to claims 1, 9, 11, 13, 16, 22 and 24, in view of Tock et al. (US Patent 7,146,403, hereinafter "Tock"). Applicants respectfully traverse the rejection.

Claim 12 depends on claims 1 and 11, and incorporates all the features of claims 1 and 11. Claim 25 depends on claims 13 and 24, and incorporates all the features of claims 13 and 24. Tock is cited for teaching controlling validity of a token by comparing the sums of network remaining duration times. Even if Danknick and Holloway could have somehow been modified based on Tock, as the Examiner asserts in the Office Action, the combination would still not contain all the features in claims 1 or 11, and 13 or 24, and hence claims 12 and 25, as discussed above. Accordingly, the combination of Danknick, Holloway, and Tock would not have rendered claims 12 and 25 unpatentable.

Further, the Examiner asserts that column 26, lines 10 to 22 of Tock allegedly cures the deficient disclosures of Danknick and Holloway and allegedly teaches the claimed feature of "wherein if the compared numbers of controlled devices in the lists held by the respective controlled devices are the same, the negotiation module controls the validity of each token by

comparing the sums of network remaining duration times of the respective controlled devices registered in the lists." *See* Office Action, pp. 11-12. This portion of Tock describes that a determination is made as to whether a time since last authorization is greater than a maximum session time.

However, Tock neither teaches nor suggests "the negotiation module controls the validity of each token by comparing the sums of network remaining duration times of the respective controlled devices registered in the lists." Rather, Tock merely describes a single time comparison to a maximum session time. Tock neither teaches nor suggests "the negotiation module controls the validity of each token by comparing the sums of network remaining duration times of the respective controlled devices registered in the lists," since Tock does not disclose a sum of times, and much less the "sums of network remaining duration times of the respective controlled devices registered in the lists," as recited in claims 12 and 25.

Accordingly, the combination of Danknick, Holloway, and Tock would not have rendered claims 12 and 25 unpatentable for at least this additional reason.

Claims 30, 32-34, 37-38, 44, 46-48 and 50-52 are rejected as allegedly unpatentable over Danknick and Holloway as applied to claims 26-27, 29, 40-41 and 43, in view of Tonelli et al. (US Patent 5,821,937, hereinafter "Tonelli"). Applicants respectfully traverse the rejection.

Claims 30, 32-34, and 37-38 depend on claim 26 and incorporate all the features of claim 26. Claims 44, 46-48, and 50-52 depend on claim 40 and incorporate all the features of claim 40. Tonelli is cited for teaching transferring of the stored list of controlled devices to another controlled device. Even if Danknick and Holloway could have somehow been modified based

on Tonelli, as the Examiner asserts in the Office Action, the combination would still not contain all the features of claims 26 and 40, and hence claims 30, 32-34, 37-38, 44, 46-48 and 50-52, as discussed above. Accordingly, the combination of Danknick, Holloway, and Tonelli would not have rendered claims 30, 32-34, 37-38, 44, 46-48 and 50-52 unpatentable.

Claims 31 and 45 are rejected as allegedly unpatentable over Danknick, Holloway, and Tonelli as applied to claims 26-27, 29-30, 40-41 and 43-44, in view of Goshey et al. (US Patent 6,473,783, hereinafter "Goshey"). Applicants respectfully traverse the rejection.

Claims 31 and 45 depend on claims 26 and 40, respectively, and incorporate all the features of claims 26 and 40. Goshey is cited for teaching modification of a list. Even if Danknick, Holloway, and Tonelli could have been somehow modified based on Goshey, as the Examiner asserts in the Office Action, the combination would still not contain all the features in claims 26 and 40, and hence claims 31 and 45, as discussed above. Accordingly, the combination of Danknick, Holloway, Tonelli, and Goshey would not have rendered claims 31 and 45 unpatentable.

Further, the Examiner asserts that column 12, lines 65 to 67 of Goshey allegedly teaches the claimed feature of "wherein the list transferring comprises modifying the list of controlled devices so the controlled device which has transferred the list becomes the last in the list, and identifying a controlled device, which has recorded as the first in the modified list, as a controlled device to which the list will be transferred." *See* Office Action, p. 15.

However, Goshey neither teaches nor suggests "wherein the list transferring comprises modifying the list of controlled devices so the controlled device which has transferred the list becomes the last in the list, and identifying a controlled device, which has recorded as the first in

the modified list, as a controlled device to which the list will be transferred." Rather, Goshey merely describes that a user may modify a list of servers, with no teaching or suggestion of modifying the list of controlled devices as recited in claims 31 and 45.

Accordingly, Goshey fails to cure the deficient disclosures of Danknick, Holloway, and Tonelli, and hence the combination of Danknick, Holloway, Tonelli, and Goshey would not have rendered claims 31 and 45 unpatentable for at least this additional reason.

Claims 35-36 and 49-50 are rejected as allegedly unpatentable over Danknick, Holloway, and Tonelli as applied to claims 26-27, 29-30, 40-41 and 43-44, in view of Barilovits (US Patent 7,130,582). Applicants respectfully traverse the rejection.

Claims 35 and 36, and 49 and 50 depend on claims 26 and 40, respectively, and incorporate all the features of claims 26 and 40. Barilovits is cited for teaching the removal of a controlled device from the device list. Even if Danknick, Holloway, and Tonelli could have been somehow modified based on Barilovits, as the Examiner asserts in the Office Action, the combination would still not contain all the features in claims 26 and 40, and hence claims 35, 36, 49, and 50, as discussed above. Accordingly, the combination of Danknick, Holloway, Tonelli, and Barilovits would not have rendered claims 35, 36, 49, and 50 unpatentable.

Claims 39 and 53 are rejected as allegedly unpatentable over Danknick, Holloway, and Tonelli as applied to claims 26-27, 29-30, 37-38, 40-41, 43-44, 46 and 51-52 in view of Tock. Applicants respectfully traverse the rejection.

Claims 39 and 53 depend on claims 26 and 40, respectively, and incorporate all the features of claims 26 and 40. Even if Danknick, Holloway, and Tonelli could have been somehow modified based on Tock, as the Examiner asserts in the Office Action, the combination

would still not contain all the features in claims 26 and 40, and hence claims 39 and 53, as discussed above. Accordingly, the combination of Danknick, Holloway, Tonelli, and Tock would not have rendered claims 39 and 53 unpatentable.

Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

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Date: June 18, 2008